

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$209,815 IN UNITED STATES CURRENCY,

Defendant.

JULIO FIGUEROA,

Claimant.

No. C-14-0780 MMC

**ORDER GRANTING GOVERNMENT'S  
MOTION FOR LEAVE TO FILE MOTION  
TO RECONSIDERATION OF ORDER  
DENYING GOVERNMENT'S MOTION  
FOR SUMMARY JUDGMENT; SETTING  
BRIEFING SCHEDULE AND HEARING;  
CONTINUING HEARING ON  
CLAIMANT'S MOTION FOR  
RECONSIDERATION**

Before the Court is the "Motion of the United States for Leave to File a Motion to Reconsider the October 14, 2015 Decision Denying Its Summary Judgment Motion," filed December 9, 2015. Having read and considered the motion,<sup>1</sup> the Court rules as follows.

Although the Court is not persuaded reconsideration is warranted for the reasons stated by the government, the Court finds reconsideration nonetheless is appropriate. In its order of October 14, 2015, the Court<sup>2</sup> found "[the] unredacted training records for

<sup>1</sup>Under the Local Rules of this District, no response to a motion for leave to file a motion for reconsideration need be filed. See Civil L.R. 7-9(d).

<sup>2</sup>The above-titled action was reassigned to the undersigned on November 3, 2015.

1 Jackson," a narcotics detection canine, were "required for a proper determination of  
2 probable cause" (see Order at 28:13-14), ordered the government to produce the subject  
3 records to claimant and afforded claimant leave to file a motion for reconsideration of the  
4 denial of his motion for summary judgment, "limited to challenges to the training records so  
5 produced" (see Order at 29:1-11). Claimant, after receiving the subject records,  
6 subsequently filed his motion for reconsideration. Under the circumstances, the Court finds  
7 it appropriate to afford the government a similar opportunity and, accordingly, hereby  
8 GRANTS the government's motion for leave to file a motion for reconsideration, and sets  
9 the following briefing schedule and hearing date:

10 1. As requested by the government in its motion for leave, the government's  
11 December 9, 2015 filing in opposition to claimant's motion for reconsideration is deemed  
12 the government's motion for reconsideration.

13 2. No later than January 8, 2016, claimant shall file his opposition to the  
14 government's motion for reconsideration, or, alternatively, a statement indicating that his  
15 reply in support of his motion for reconsideration shall be deemed to be his opposition to  
16 the government's motion.

17 3. No later than January 15, 2016, the government shall file its reply.

18 4. The hearing on the government's motion for reconsideration is hereby scheduled  
19 for January 29, 2016, at 9:00 a.m.

20 5. In the interests of judicial economy, the hearing on claimant's motion for  
21 reconsideration is hereby CONTINUED from January 8, 2016, to January 29, 2016, at 9:00  
22 a.m.

23 **IT IS SO ORDERED.**

24  
25 Dated: December 22, 2015

26   
27 MAXINE M. CHESNEY  
28 United States District Judge